DFW

Certificate of Mailing:

The undersigned certifies that this correspondence is being sent via first-class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

this 8th day of March 2006.

is 8 day of March 2006

Michael D. Ruse, Jr.

MAR 1 3 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Bittner et al.

Atty. Docket:

ORT1563NP

Serial No.:

10/753,107

Art Unit:

1631

Filed:

January 6, 2004

Examiner:

Shubo Zhou

For:

Methods And Algorithms

Confirmation No.:

2785

For Performing Quality Control

During Gene Expression Profiling On DNA Microarray Technology

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the Office Action mailed February 8, 2006. It is believed that no fee is required in connection with the filing of the response. However, in the event any fees are required for the filing of this response, including fees required in connection with any necessary extension of time (for which Applicant hereby petitions), or any other fees required in connection with the instant application, please charge such fees to Deposit Account No. 10-0750.

In the outstanding Office Action, the Examiner set forth a requirement under 35 U.S.C. § 121 restricting Applicant to one of the following inventions: (I) claim 1, drawn to